

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) DOYLE R. ELLIOTT, JR., an Individual,)	
)	
Plaintiff,)	
v.)	Case No. CIV-2011-
)	
2) CONFI-CHEK, INC., and (3) CRIMINAL)	
SEARCHES, INC., California Corporations, d/b/a)	
PeopleFinders.com, Criminalsearch.com, and)	
VeriChek.com, and)	
(4) BACKGROUNDCHECKS.COM,)	
)	
Defendants.)	

COMPLAINT

COMES NOW the Plaintiff, Doyle R. Elliott, Jr., by and through his attorney of record, M. Michael Arnett of the Arnett Law Firm, and for his causes of action against the Defendants, state as follows:

PARTIES

1. At the time of the occurrence, Plaintiff, Doyle R. Elliott, Jr. was a permanent resident in good faith of Oklahoma County, for thirty (30) days, and was a permanent resident in good faith of the State of Oklahoma for six (6) month.

2. To the best of Plaintiff's knowledge, the Defendants are California Corporations doing business as PeopleFinders.com, CriminalSearch.com, and VeriChek.com.

3. To the best of Plaintiff's knowledge, the Defendant Backgroundchecks.com is a Texas Corporation.

JURISDICTION

4. The Court has jurisdiction based on the citizenship of the parties, and on the amount in controversy, which exceeds \$100,000.00.

5. The Defendants services and/or products are disseminated through the Internet, and distributed throughout the United States and other countries.

FIRST CAUSE OF ACTION

NEGLIGENCE, LIBEL AND SLANDER

COMES NOW the Plaintiff and for his First Cause of Action against the Defendants above named, alleges and states as follows:

6. The named Defendants are in the business of providing personal information regarding individual citizens, including but not limited to, criminal background checks. This information is provided to subscribers, as well as to the general public, who use Defendants services to access information, from their websites. The opportunity to subscribe to the Defendants websites is open to any member of the public.

7. The Defendants, on their various and respective websites, have disseminated information about the Plaintiff, to their subscribers, worldwide. A substantial portion of the information provided by the Defendants about any searched individual, and in particular, this Plaintiff, is purported to be true and accurate.

8. The information provided by these Defendants and regarding the Plaintiff, Doyle R. Elliott, Jr., was not true, nor accurate. The information

provided on the websites by these Defendants in regards to the Plaintiff stated that Plaintiff had felony convictions as a sexual offender, and included other serious inaccuracies about the Plaintiff's criminal background and history.

9. The Defendants owed a duty to use due diligence in verifying the information placed on their websites concerning the Plaintiff, before distributing such information to the public. The Defendants breached this duty based upon the fact that the information, which was blatantly false, was nonetheless listed on the websites as fact. Such actions by the Defendants, in addition to being negligent, were also libelous and slanderous to the Plaintiff.

10. As a result of the acts of these Defendants, Plaintiff has suffered mental anguish, pain and suffering, loss of income, damages to his reputation, and threats of physical violence being made against him. Plaintiff is therefore entitled to compensation from the Defendants on his first cause of action for the amount of ten million (\$10,000,000.00) dollars.

SECOND CAUSE OF ACTION

INTENTIONAL AND WILLFUL INFLICTION OF EMOTIONAL DISTRESS AND GROSS NEGLIGENCE

COMES NOW the Plaintiff, Doyle R. Elliott, Jr., and for his Second Cause of Action against each of the aboved named Defendants, and alleges and states as follows:

11. Plaintiff restates and re-alleges his allegations contained in paragraphs 1 through 9 above, as if fully set forth herein, and further states:

12. That the Plaintiff, after becoming aware of the false information being distributed and published by the Defendants about him, repeatedly contacted each of the Defendants to request that the inaccuracies be corrected. The Plaintiff was repeatedly assured that the problems with incorrect information would be rectified. However, the information was never removed or corrected as promised.

13. The deliberate actions of the Defendants in refusing to correct or remove the inaccurate information about the Plaintiff, even after being advised that the information contained on their websites was false and inaccurate, constitutes gross negligence on their parts and is deemed by Plaintiff to be an intentional infliction of emotional distress and harm towards Plaintiff. Plaintiff's distress was exacerbated by the Defendants' assurances to Plaintiff that such false information would be removed from their websites, only for Plaintiff discover that the Defendants' and/or their Agents had again lied to him about their intentions to correct and remove the false information, which falsely accused Plaintiff of having been convicted of horrendous crimes that he did not commit.

14. As a result of the actions these Defendants and their gross negligence and intentionally harmful act towards the Plaintiff, Plaintiff is entitled to recover not only the actual damages as set out in his First Cause of Action, but for an award of punitive damages against each Defendant, in the amount of Ten Million Dollars (\$10,000,000.00) Dollars, as and for punishment to the Defendants and to set an example to others similarly situated.

WHEREFORE, premises considered, the Plaintiff prays for judgment in his favor, and against each Defendant above named, jointly and severally, for actual damages in the amount of \$10,000,000.00, punitive damages in the amount of \$10,000,000.00, costs of bringing this action, a reasonable attorney's fee, and any other further relief this Court deems just and proper.

Respectfully submitted,

/s/ M. Michael Arnett
M. Michael Arnett, OBA #12071
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Oklahoma City, Oklahoma 73116
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Attorney for Plaintiff

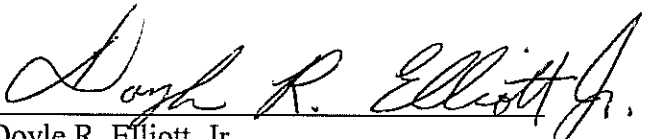
**VERIFICATION ATTACHED
JURY TRIAL DEMANDED
ATTORNEY LIEN CLAIMED**

VERIFICATION

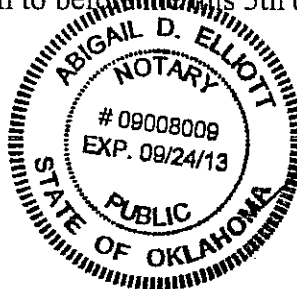
STATE OF OKLAHOMA)
) SS
COUNTY OF OKLAHOMA)


Doyle R. Elliott, Jr., being of lawful age, being first duly sworn upon my oath, states:

That I am the Plaintiff above named; that I have read the foregoing Complaint, and understand the same; and the facts therein set forth are true and correct to the best of my knowledge and belief.


Doyle R. Elliott, Jr.

Subscribed and sworn to before me this 5th day of November, 2010.




Notary Public

My Commission Expires:

September 24, 2013

My Commission Number:

09008009

(Seal)